



California Regional Water Quality Control Board

Santa Ana Region



Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

December 15, 2008

Steven Ford
Pulte Homes
2 Technology Drive
Irvine, CA 92618

**CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS CERTIFICATION
FOR PROPOSED MODIFICATIONS TO THE CONFLUENCE OF HEMET AND
THORNTON CHANNELS, CITY OF HEMET, RIVERSIDE COUNTY (ACOE REFERENCE
NO. 2008 – 00313 – CLM)**

Dear Mr. Ford:

On November 12, 2008, we received a request for an amendment to a Clean Water Act Section 401 Water Quality Standards Certification ("Certification") issued on October 2, 2006 for residential Tracts 31807 and 31808 ("Tracts"). The construction of the Tracts involved the discharge of fill to various waters of the State, including the discharge of fill to the Hemet Channel as part of the extension and connection of Thornton Channel.

The confluence, as shown in submittals for the original Certification application for the Tracts, indicates two open earthen channels. The confluence was constructed in 2007 without the benefit of an encroachment permit from the Riverside County Flood Control and Water Conservation District ("District"). Subsequently, the District has required a change to the confluence in order to maintain a continuous access road along Hemet Channel. This requires that a culvert crossing be constructed over Thornton Channel along Hemet Channel (33.72621 degrees N/-117.03130 degrees W). The crossing would result in the discharge of fill to 0.06 acre of waters of the U.S. which is the result of the recent construction of the confluence. You have requested that the October 2, 2006 Certification be amended to address this discharge of fill.

In addition, you have also requested that the October 2, 2006 Certification be amended to authorize future discharges of dredge or fill associated with the maintenance of the culvert crossing. Maintenance will consist of removal of trash and debris from the culvert inlets and outlets, removal of vegetation growing at the outlet and in the riprap, and excavation of sediment which may accumulate within the culvert and at the inlets and outlets.

In consideration of the circumstances of the recently constructed confluence and the proposed modification, the additional discharges associated with the culvert crossing and its maintenance are authorized, and the October 2, 2006 Certification is hereby amended accordingly. The following condition is also added to the conditions in the October 2, 2006 Certification:

California Environmental Protection Agency



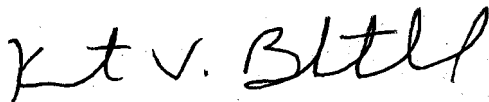
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- 11) This Certification is valid for discharges of dredge or fill material described herein, and in subsequent amendments, until such time that coverage for Tracts 31807 and 31808 under the State Water Resources Control Board's General Permit for Storm Water Discharges Associated with Construction Activity, Water Quality Order No. 99-08-DWQ, and subsequent renewals, is terminated. Subsequent discharges of dredge or fill will require a separate authorization.

Pursuant to the California Environmental Quality Act ("CEQA"), the Regional Board has determined that the proposed project is categorically exempt from provisions of CEQA according to Guidelines Section 15303 for new construction of limited small new facilities; Guidelines Section 15311 for construction of an accessory structure to existing facilities; and, subsequent to construction, Guidelines Section 15301 for operation, repair, and maintenance of an existing structure. The proposed culvert crossing qualifies for the above exemptions because the culvert crossing represents the construction of a small new facility; is an accessory structure for the overall existing access road network along Hemet and Thornton Channels; and its future maintenance qualifies as operation, repair, and maintenance of an existing structure.

Should there be any questions, please contact Adam Fischer at (951) 320-6363, or Mark Adelson at (951) 782-3234.

Sincerely,



for GERARD J. THIBEAULT
Executive Officer

cc (via electronic mail):

U. S. Army Corps of Engineers, Ventura Office – Crystal Marquez
State Water Resources Control Board, OCC – David Rice
State Water Resources Control Board, DWQ-Water Quality Certification Unit – Bill Orme
California Department of Fish and Game – Anna Milloy
U.S. EPA, Supervisor of the Wetlands Regulatory Office WTR- 8 – Eric Raffini and David Smith
Riverside County Flood Control & Water Conservation District – Sharon Johnson

